Liber M M Thomas Warner

Cornelius Cornehil late of St Maries County planter otherwise called Cornelius Cornehil Cornelius Cornehil planter was Sumoned to answer unto Thomas Warner of a plea that he render unto him the summe of two thousand foure hundred pounds of good Sound merchantable leafe tobacco and caske which to him he oweth and unjustly deteineth

And whereupon the Said Thomas by Robert Ridgely his Attorny Saith that whereas the Said Cornelius the foure and twentith day of August in the 43th yeare of the Dominion of Caecilius &c Annog Dom 1674 by his certaine writeing Obligatory Sealed with the Seale of him the Said Cornelius and here in Court produced whose date is the day and yeare abovesaid did bind himselfe his heirs executors admrs or assignes to pay or cause to be paid unto the said Thomas the full and just Summe of two thousand foure hundred pounds of good Sound merchantable leafe tobacco in casque at or upon the tenth day of October next ensueing the date thereof and to the true performance thereof the said Cornelius did there unto sett his hand and Seale the which tobacco to be paid within halfe a mile of Wiccocomoco River Notwithstanding which the said Cornelius the said Summe of two thousand foure hundred pounds of tobacco according to the Tenor of the said writeing Obligatory hath not paid though often demanded but the same to pay hath denyed and as yet doth deny to the damage of the said Thomas two thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Cornelius by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that the said Thomas his action aforesaid against him Ought not to have because he Saith yt the said Thomas Wardner upon the said foure & twentith day of August aforesaid did Covenant and agree that he the said Thomas and his wife would betweene the day of the date of the said writeing obligatory and the last day of October then next Signe Seale & deliver unto the said Cornelius good and lawfull conveyances p. 503 for a parcell of Land lyeing and being in St Maries County called by the name of Warners desire and lyeing upon the east side of Wiccocomocco Maine ffresh as being laid Out for fifty acres more or lesse in consideration whereof the Said Cornelius did upon the Said foure and twentith day of August aforesaid Seale and deliver the writeing Obligatory aforesaid to the said Thomas And the Said Cornelius further Saith that he did upon the tenth day of October and at Severall dayes and times Since and before the issueing Out the said Originall writ did tender & was and is still ready to pay unto him the Said Thomas the Said Summe of two thousand foure hundred pounds of tobacco So as the said Thomas would make unto him a good assurance of the Said Land which he hath not hitherto done